

ORIGINAL

Before the  
Federal Communications Commission  
Washington, D.C. 20554

FCC MAIL ROOM

OCT 30 1996

In the Matter of )  
 )  
Amendment of Section 73.202(b) )  
Table of Allotments, )  
FM Broadcast Station )  
(St. Maries, Idaho) )

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To: Chief, Allocations Branch  
Policy and Rules Division

### PETITION FOR RULE MAKING

Pentacle Investments, Inc., by and through its undersigned counsel, requests that the Federal Communications Commission (FCC) institute a Rule Making Proceeding, looking toward the amendment of Section 73.202(b) of the FCC's Rules and Regulations to allocate Channel 221A as the first FM Broadcast Channel to the community of St. Maries, Idaho, as follows:

<u>City</u>	<u>Channel No.</u>	
	<u>Present</u>	<u>Proposed</u>
St. Maries, Idaho	----	221A

In support hereof the following matters are set forth.

Attached hereto, and made a part hereof, is an Engineering Statement of D.L. Markley & Associates, Inc., evidencing that the assignment of Channel 221A to the community of St. Maries Idaho, will be in full compliance with the FCC Rules and Regulations regarding spacing to all co-channel and adjacent channel stations, applications

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and assignments, at an assumed site at the approximate center of the community of St. Maries, ID. Indeed, a fairly large area exists for possible sites to provide service to that community.

St. Maries, Idaho clearly meets FCC requirements as a "community" for allocation purposes. Station KOFE(AM) is licensed to the incorporated community St. Maries, which, in 1990 had a U.S. Census population in excess of 2,700 persons.

If allocated, Petitioner will promptly file application for Channel 221A at St. Maries, Idaho, and, if granted, promptly construct and commence operation. 1/

Wherefore, the premises considered, the FCC should initiate a Rule Making Proceeding proposing the assignment of Channel 221A to St. Maries, Idaho.

Respectfully Submitted,  
Pentacle Investments, Inc.

By 

Leonard S. Joyce  
Its Counsel

5335 Wisconsin Ave.  
Suite 400  
Washington, D.C. 20554  
October 29, 1996

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1/ Pentacle Investments Inc. is a stockholder of Pentacle Broadcasting LLC. This commitment to file an application and promptly construct and operate applies to either Pentacle Investment Inc or Pentacle Broadcasting LLC, but not both.

## PETITION FOR RULEMAKING

The following engineering statement and attached exhibit have been prepared for Pentacle Investments, Inc. and are in support of their Petition for Rule-making.

Pentacle Investments, Inc. seeks rulemaking to modify Section 73.202(b), the Table of Allotments, of the Federal Communications Commission's Rules and Regulations. It is proposed that the following change be made:

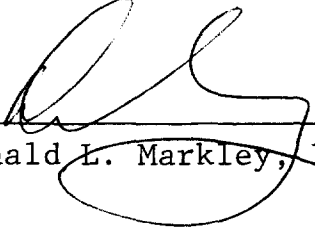
<u>City</u>	<u>Existing</u>	<u>Proposed</u>
St. Maries, Idaho	---	221A

As shown on the attached spacing study, channel 221 can be allotted to St. Maries, Idaho at the coordinates shown as a Class A facility fully in accordance with the Commission's Rules and Regulations regarding spacing to other co-channel or adjacent channel stations. The coordinates specified are for approximately the center of the community. However, it is apparent from the spacing study that a fairly large area exists where channel 221 can be utilized to serve the community of St. Maries, Idaho.

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Pentacle Investments, Inc. intends to promptly file FCC Form 301 to seek a construction permit at St. Maries upon grant of this Petition for Rulemaking.

The preceding statement and attached exhibit have been prepared by me or under my direction and are true and correct to the best of my knowledge and belief.

  
Donald L. Markley, P.E.

Subscribed and sworn to before me this 22<sup>nd</sup> Day of October, 1996.

  
Notary Public

My commission expires:



Single Channel Study For: ST MARIES, ID On Ch. 221 A - 92.1 Mhz.

States Searched: ID, MT, OR, WA, BC, AB

47° 18' 45" N.

Run Date: 10-22-1996

116° 35' 00" W.

CHANNEL	ALLOTMENT OR STATION	CLASS	CALCULATED - KM. (MI.)	REQUIRED KM.	BEARING Deg. T.
218	NO CONFLICT				
219 KRFA-FM	LIC Moscow	ID C1	76.06 ( 47.26)	75	202.80
220	USED Spokane	WA A	77.41 ( 48.10)	72	302.00
220 KSFC	LIC Spokane	WA A	77.41 ( 48.10)	72	302.00
221 NEW	APP Bonners Ferry	ID A	146.34 ( 90.93)	115	9.40
222	USED Ronan	MT C	181.70 (112.90)	165	72.70
222 KQRK	LIC Ronan	MT C	181.70 (112.90)	165	72.70
223	NO CONFLICT				
224	NO CONFLICT				
274	NO CONFLICT				
275	NO CONFLICT				

\*-Short Spaced

Only listings with clearances less than 32 Km. are shown.

This study utilized a copy of the FCC FM Database as published monthly by the National Technical Information Service. D. L. Markley & Associates, Inc. believes this information to be accurate and current. However, D. L. Markley & Associates, Inc. does not assume any responsibility for any erroneous or incomplete data furnished as part of that database.